

IN THE DRAWINGS

Please replace the drawing sheets for Figures 1, 2, 6, 9, 18, and 19 with the replacement drawing sheets attached to the Submission of Corrected Drawings submitted herewith.

REMARKS

Claims 1-16 are pending in the application. In the non-final Office Action dated May 3, 2006, the Examiner made the following disposition:

- A.) Objected to the drawings.
- B.) Objected to the specification.
- C.) Rejected claims 1-16 under 35 U.S.C. §101.
- D.) Rejected claims 1-16 under 35 U.S.C. §102(e) as allegedly being anticipated by *Devine, et al. (U.S. Publication No. 2002/0095399)*("Devine").

Applicant addresses the Examiner's disposition below.

A.) Objection to the drawings:

The specification at page 8, line 28, has been amended to describe that the file server 150 includes a file server storage 154. File server storage 154 is also disclosed, for example, in Figures 1, 18, and 19. Figure 1 has also been amended to include a legend for some of the item labels.

Figure 2 has been amended to delete items 244 and 264. Figure 2 has also been amended to include a legend for some of the item labels.

Figure 6 has been amended to replace item --614-- with item --612--, item --616-- with item --614--, and item --618-- with item --616--.

The specification at page 24, line 17, has been amended to label the text associated with "step 710," which is also identified in Figure 7.

Figure 9 has been amended to include a textual description.

Figure 18 has been amended to replace item --152-- with item --150--.

Figure 19 has been amended to replace item --152-- with item --150--.

Please replace the drawing sheets for Figures 1, 2, 6, 9, 18, and 19 with the replacement drawing sheets attached to the Submission of Corrected Drawings submitted herewith.

Additional amendments have been made to the specification, as described below in Section B, to correct informalities and to overcome the Examiner's objections to the drawings.

These amendments are made as per the Examiner's request to overcome the objections and to correct informalities.

No new matter is introduced by the amendments made herein.

Applicant respectfully submits the objections have been overcome and requests that it be withdrawn.

B.) Objection to the specification:

The specification at page 20, line 26, has been amended to change the first occurrence of “step 622” to “step 620.”

The specification at page 24, line 7, has been amended to change “step 720” to “step 716.”

The specification at page 26, line 21, has been amended to label the client module API as item 1002, which is also identified in Figure 10.

The specification at page 36, line 21, has been amended to replace item --152-- with item --150--.

The specification at page 44, line 7, has been amended to delete “a draws.”

The specification at page 44, line 22, has been amended to change “Firs” to “First.”

The specification at page 45, line 7, has been amended to change “Its” to “It.”

The specification at page 45, line 23, has been amended to change “step 2606” to “step 2602.”

The specification at page 46, line 29, has been amended to change “intellectual” to “intellectual capital.”

Applicant respectfully submits the objection has been overcome and requests that it be withdrawn.

C.) Rejection of claims 1-16 under 35 U.S.C. §101:

Regarding the Examiner’s argument that claims 8-14 relate to non-statutory subject matter, claims 8 has been amended as per the Examiner’s request to overcome the rejection.

Claims 2-7 and 9-14 depend directly or indirectly from claim 1 or 8 and are therefore allowable for at least the same reasons that claims 1 and 8 are allowable.

Regarding the Examiner’s argument that no tangible result is produced, Applicant respectfully disagrees. Applicant’s claimed invention claims subject matter relating to tracking a usage of a registered datatype in a data processing system. Applicant submits that this is statutory subject matter. A data processing system is a tangible item. And tracking a registered datatype’s

usage in the data processing system is a tangible result. Therefore, Applicant submit that claims 1-16 are each directed to statutory subject matter.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

D.) Rejection of claims 1-16 under 35 U.S.C. §102(e) as allegedly being anticipated by Devine, et al. (U.S. Publication No. 2002/0095399)(“Devine”):

Applicant respectfully traverses the rejection.

Applicant's independent claims 1, 8, 15, and 16 each claim subject matter relating to asynchronously receiving a data about a customer. A datatype is provided that has a metadata that describes the data and a reference to the data. The data is maintained separately from the datatype. The datatype is registered prior to the datatype's usage. A usage of the registered datatype is tracked.

This is clearly unlike *Devine*. *Devine* discloses a publish/subscribe-based system in which subscribers can subscribe to services that are published by a service provider. *Devine* Abstract. *Devine's* services are data Retrieval, Analysis, and Report distribution applications. *Devine* [0055]. The publisher knows which services to publish to the subscriber, because the subscriber is registered with the publisher. *Devine* Abstract. Subscribers can receive published services asynchronously. *Devine* [0451].

To begin with, *Devine* fails to disclose or suggest asynchronously receiving data and then providing a datatype that has metadata that describes the asynchronously received data and a reference to the data. The Examiner points out that *Devine* teaches that a subscriber can asynchronously receive a published service, which may include data. *Office Action of 4/3/06*, page 5; *Devine* [0451]. The Examiner goes on to allege that *Devine's* published service anticipates Applicant's claimed datatype. *Office Action of 4/3/06*, page 5. Accordingly, if the Examiner's allegation is true, then *Devine* teaches that a service is asynchronously received. This is clearly unlike asynchronously receiving data and then providing a datatype (service) that has a metadata that refers to the asynchronously received data. *Devine's* service already includes the data -- the service is not provided after asynchronously receiving the data.

The Examiner later contradicts himself and equates *Devine's* service to the data, instead of to Applicant's claimed datatype. *Office Action of 4/3/06*, page 6, line 2. However, *Devine's* service is

clearly not a data. The service is a published message that may include data.

Further, as *Devine* fails to suggest providing a datatype for asynchronously received data, *Devine* could not teach providing a datatype for asynchronously received data about a customer. In fact, nowhere does *Devine* mention data about a customer.

Further, nowhere does *Devine* suggest registering a datatype prior to the datatype's usage. The Examiner correctly points out that *Devine* teaches registering a subscriber with a publisher. *Office Action of 4/3/06*, page 6; *Devine* Abstract. However, this is clearly unlike registering a datatype. Nowhere does *Devine* discuss registering a datatype.

For at least these reasons, *Devine* fails to disclose or suggest claims 1, 8, 15, and 16.

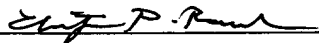
Claims 2-7 and 9-14 depend directly or indirectly from claim 1 or 8 and are therefore allowable for at least the same reasons that claims 1 and 8 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-16 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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